IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 938 of 2005

Between:

Daily Vendors Welfare Association (Reg.No.1542/89),

Jagityal, rep. by its Secretary, Kokkula Anjaneyulu

S/o Hanumanlu, Occ: Business, Varun Chicken centre,

R/oKarimnagar Road, Jagityal, Karimnagar District.

..... PETITIONER

AND

The Sub Inspector of Police, P.S.Town Jagityal, Karimnagar District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly in the nature of writ of Mandamus directing the respondent herein not to interfere with the business activities of the Members of the Petitioner Association who are carrying on business i.e. sale of Vegetables and chicken in retail in the main market situated near Tower,Jagityal town, Karimnagar District by duly declaring the action of the respondent herein in interfering with the business activities of the Members of the petitioner Association without giving any notice alleging violation of any law, without any authority under law is nothing arbitrary, illegal, without jurisdiction and violative of Art.14 and 21 of the Constitution of India and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner :MR.V.RAVI KIRAN RAO

Counsel for the Respondent: GP FOR HOME

The Court made the following :

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ORDER:

The petitioner is an Association of daily vendors. Its grievance is that the respondent, namely, the Sub Inspector of Police, Jagityal is interfering with the activities of its members. They state that when the Municipal Council sought to interfere with their activities, they approached this Court and obtained appropriate orders. The petitioner seeks protection from this Court from interference by the respondent.

2. Heard learned counsel for the petitioner and learned Government Pleader for Home.

3. Basically, it is the concern of the Municipality or the Market Committee to regulate the activities of daily vendors, be it in the matter of grant of licence or collecting fee etc. The scope of interference by the respondent is limited to the extent of preventing the members of the petitioner from blocking the traffic or occupying the roads or streets. He cannot otherwise interfere with the activities of the members of the petitioner.

4. Hence, the writ petition is disposed of directing that the respondent shall not interfere with the activities of the members of the petitioner Association, except where such activities are causing any traffic congestion or blocking access to roads etc. There shall be no order as to costs.

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L.NARASIMHA REDDY, J

Dated : 31.01.2005

Note:- Issue C.C in 2 days

(B/o)

RAR

To

1) The Sub Inspector of Police, P.S.Town Jagityal, Karimnagar District.

2)2 CCs to G.P for Home, High Court Bldgs,Hyd.(OUT)

3)2 CD copies.